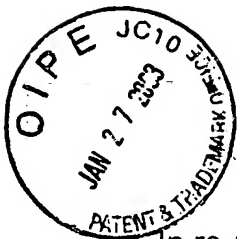


3736



PATENT  
Attorney Docket No. 115.0001-00000  
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John I. Shipp et al.

Serial No.: 10/047,122

Group Art Unit: 3736

Filed: January 15, 2002

For: INSTRUMENTS AND METHODS  
FOR USE IN LAPAROSCOPIC  
SURGERY

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JAN 28 2003

Assistant Commissioner for Patents  
Washington, D.C. 20231

TECHNOLOGY CENTER R3700

Sir:

**CERTIFICATE OF MAILING VIA FIRST CLASS MAIL**

Date of Deposit: January 17, 2003

I hereby certify that:

1. Information Disclosure Statement
2. Form PTO-1449
3. 4 patent documents
4. Self-addressed return postcard receipt.

are being deposited with the United States Postal Service to Addressee with sufficient postage as first class mail under 37 C.F.R. § 1.8 on the date indicated above and are addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

Date: January 17, 2003

Sandra L. Blackmon

14500 Avion Parkway, Suite 300  
Chantilly, VA 20151-1101  
Telephone: 703-679-9300  
Facsimile: 703-679-9303



PATENT  
Attorney Docket No. 115.0001-00000  
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*L. Parks*  
*1-30-03*  
*#5/IDS*

THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Examiner: N/A

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TECHNOLOGY CENTER R3700

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determines

that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1068.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: January 17, 2003

By: 

Thomas H. Martin

Registration No. 34,383  
14500 Avion Parkway, Suite 300  
Chantilly, VA 20151-1101  
Telephone: (703) 679-9300  
Facsimile: (703) 679-9303